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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA

2006 MAY -9 P 1:46

DEBRA P. HAYES  
U.S. DISTRICT COURT  
MIDDLE DISTRICT

ASHLEY H. THOMPSON, mother )

& JUSTIN THOMPSON, minor child )

& JORDAN THOMPSON, minor child )

& RONALD C. THOMPSON, husband )

Plaintiff(s), )

v. )

GEO MARINE, INC )

& Ruben Garza, Chief Executive Officer )

Defendant(s), )

CASE NO. 2:06CV 420-A  
Demand for Jury Trial

COMPLAINT

Parties

1. The plaintiff and defendant are citizens of different states, and the amount in controversy exceeds \$75,000, exclusive of interests and costs. This court has jurisdiction of this matter pursuant to 28 USC Sec. 1332 (diversity of citizenship).
2. Plaintiffs, Ashley H. Thompson, her husband Ronald C. Thompson, their minor children, Justin Thompson and Jordan Thompson are residents of Prattville, in the State of Alabama. .
3. Defendants are Geo Marine Incorporated, a corporation headquartered in Plano, Texas, with offices in Las Vegas, NV, El Paso, TX, San Antonio, TX, Knoxville, TN, Newport News, VA, and Panama City, FL, and Ruben Garza, the Chief Executive Officer of Geo Marine Incorporated, as well as the driver of the accident vehicle. Mr. Garza resides in Plano, TX.

## COUNT ONE

### Negligence

4. Plaintiff(s) reaffirms and re-alleges each and every preceding paragraph as set forth herein.
5. Plaintiff Ashley Thompson was properly operating the family motor vehicle on or about August 18, 2005, traveling on Highway US 31 at or near the intersection of Interstate 65, Exit 186, and Highway US 31, Prattville, AL. The minor child, Justin Thompson, was in the car with her.
6. Defendant(s) was operating the company vehicle, and stopped at the stop sign at Interstate 65, northbound exit ramp.
7. Plaintiff Ashley Thompson was properly traveling and operating the motor vehicle in the right hand lane of US 31, within the posted speed limit.
8. Defendant(s) proceeded past the stop sign and into the intersection without insuring first that there was no conflicting traffic, thus failing to yield the right of way.
9. Defendant(s) had a duty to safely operate the vehicle, and breached this duty by negligently failing to yield the right of way to Plaintiff's vehicle.
10. Defendant(s) was negligently operating a company vehicle, which slammed into the Plaintiff's vehicle.
11. As a proximate result of the Defendant'(s) said negligence, Plaintiff Ashley Thompson suffered pain and continuing disability. She also incurred medical and property damage expenses. The minor child Justin Thompson suffered minor injuries, incurring pain and medical expenses.

Wherefore, Plaintiff(s) demands judgment against Defendant(s) for such sum of compensatory damages as the court or jury may find to be just and reasonable, plus court costs.

## COUNT TWO

### Wantonness

12. Plaintiff(s) reaffirms and re-alleges each and every preceding paragraph as set forth herein.

13. On or about August 18, 2005, at or near the intersection of Interstate 65, Exit 186, and Highway US 31, Prattville, AL, Defendant(s) did wantonly operate a motor vehicle so as to allow the same to collide with the motor vehicle operated by Plaintiff Ashley Thompson, accompanied by the minor child Justin Thompson.

14. As a proximate result of the Defendant'(s) said wantonness, Plaintiff Ashley Thompson suffered pain and continuing disability. She also incurred medical and property damage expenses. The minor child Justin Thompson suffered minor injuries, incurring pain and medical expenses.

Wherefore, Plaintiff(s) demands judgment against Defendant(s) for such sum of compensatory and punitive damages as the court or jury may find to be just and reasonable, plus court costs.

## COUNT THREE

### Loss of Consortium

15. Plaintiff reaffirms and re-alleges each and every preceding paragraph as set forth herein.

16. On or about August 18, 2005, at or near the intersection of Interstate 65,

Exit 186, and Highway US 31, Prattville, AL, Defendant(s) did negligently or wantonly operate a motor vehicle so as to allow the same to collide with the motor vehicle operated by Plaintiff Ashley Thompson, accompanied by the minor child Justin Thompson.

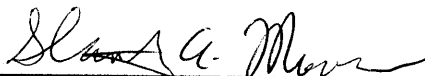
17. Plaintiff Ashley Thompson suffered pain, and continuing disability.

18. As a proximate result of the Defendant'(s) said negligence or wantonness, the husband, Ronald Thompson, and the two minor children were caused to lose the consortium and society of the wife and mother, Ashley Thompson.

Wherefore, Plaintiff(s) claims punitive damages of the Defendant(s) because of the Defendant'(s) said conduct as the court or jury may find to be just and reasonable, plus court costs.

Plaintiff respectfully demands trial by jury of all the issues in this action.

Respectfully submitted this 9 day of May, 2006.



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DEBRA J. THOMPSON, mother  
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Plaintiff(s)

v.

GEO MARINE, INC  
& RUBEN GARZA, CEO

Defendant(s)

Case No: \_\_\_\_\_

PLAINTIFFS' FIRST SET OF INTERROGATORIES AND REQUEST FOR  
PRODUCTION TO DEFENDANTS

Comes now the plaintiffs by and through their attorney, and pursuant to Rule 33 of the Federal Rules of Civil Procedure, request that the defendant respond within the prescribed time to the following interrogatories and request for production.

Interrogatories

1. Please state your full name, birth date, social security number, current residence address, and driver's license number.
2. In what state and county is Geo Marine, Inc. incorporated?
3. Please describe in detail your version of the events which occurred in the accident described in the complaint.
4. Please list any legal action in which you have been involved, including traffic violations, either as a plaintiff, or defendant.

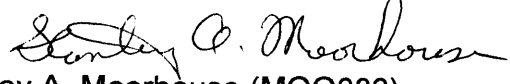
5. Please render a full and accurate account of your driving history, including, but not limited to any and all motor vehicle accidents in which you have been involved.
6. Please describe the make, model, and condition of the vehicle you were operating at the time of the accident.
7. Please state the name of all liability insurance carriers that covered your vehicle in paragraph 6 above.
8. State the policy limits on each and policy number of each policy described in paragraph 7 above.
9. Please state the name of your mobile service provider as of the date of the accident.
10. Please state the name, address, and telephone number of each and every witness you intend to call to trial.
11. Describe the substance of knowledge of each witness in paragraph 10 above, and what each is expected to testify to.

#### Request for Production

1. A copy of any and all liability insurance policies, including umbrella and excess policies, which covered the defendant and/or subject vehicle at the time of the accident.
2. A copy of any and all photographs you intend to use at trial.
3. Produce all documents that support your contentions in this case.
4. Any and all witness statements and affidavits.

5. A copy of any and all photographs of the scene of the accident.

Respectfully submitted,

  
Stanley A. Moorhouse (MOO083)

Of Counsel

Nelson Law LLC  
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Montgomery AL 36104  
(334) 834 5700

Please serve with summons and complaint